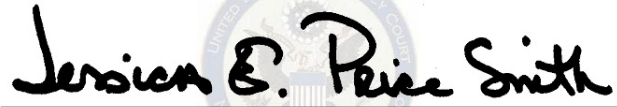


IT IS SO ORDERED.

Dated: 28 September, 2023 08:22 AM

Handwritten signature of Jessica E. Price Smith in black ink.

JESSICA E. PRICE SMITH
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO EASTERN
DIVISION

In Re:

BRITTANY HINTON,

Debtor.

KAI LaSHAWN

Plaintiff,

vs.

BRITTANY HINTON,

Defendant.

)
) CASE NO: 23-10298-JPS
)

)
) CHAPTER 7
)

)
) JUDGE: JESSICA E. PRICE SMITH
)

)
) ADVERSARY NO: 23-01035-JPS
)

)
) AGREED CONSENT TO
) JUDGMENT
)
)

Brittany Hinton (the “Debtor-Defendant”) and Kai LaShawn (the “Creditor-Plaintiff”) (collectively, with the Debtor-Defendant, the “Parties”), hereby stipulate and agree as follows:

WHEREAS, the Debtor-Defendant filed a bankruptcy petition on January 31, 2023, under Chapter 7 of Title U.S.C. §§ 101 et seq. (the “Petition”), commencing Bankruptcy Case No. 23-10298 in the United States Bankruptcy Court for the Northern District of Ohio;

WHEREAS, on May 9, 2023, Kai LaShawn filed an adversary complaint against the Debtor-Defendant, Adversary Proceeding No. 23-1035, seeking to except from discharge the debt to Creditor-Plaintiff pursuant to 11 U.S.C. §523(a)(6);

WHEREAS, the Parties have considered the merits of the adversary complaint and the potential outcome of pursuing litigation of the allegations contained therein, and the Parties have determined that a consensual resolution of this matter as set forth below is in their mutual best interests;

NOW THEREFORE, it is hereby STIPULATED AND AGREED, by and among the Parties, as follows:

1. LaShawn is the Plaintiff in Case No. CV-23-973661, filed in Cuyahoga County Common Pleas Court;
2. Hinton is the Defendant in Case No. CV-23-973661, filed in Cuyahoga County Common Pleas Court;
3. LaShawn and Hinton agree to lift the bankruptcy stay in Case No. CV-23-973661, filed in Cuyahoga County Common Pleas Court;

4. LaShawn and Hinton agree that after the bankruptcy stay is lifted in Case No. CV23-973661, the civil premises liability action will continue with LaShawn as the Plaintiff and Hinton as the Defendant, as stated in the Complaint that initiated the civil state court action; and
5. Regarding Case No. CV-23-973661, filed in Cuyahoga County Common Pleas Court, LaShawn and Hinton agree that LaShawn will pursue damages covered by insurance and nothing beyond that.
6. Any attempts by LaShawn to recover against the Hinton's homeowner's insurance policy shall not be construed as a violation of the discharge order in this case.
7. LaShawn and Hinton will bear their own fees and costs in the present adversary proceeding.

Respectfully submitted,

/s/ Kevin M. Gross
Lewis A. Zipkin, Esq. (0030688)
Kevin M. Gross, Esq. (0097343)
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Phone: (216) 514-6400
Fax: (216) 514-6406
Email: lawsmatter2@gmail.com
kgross@zipkinwhiting.com
Counsel for Plaintiff LaShawn

/s/ Steven Emery (email consent on 9/12/2023)
Steven Emery, Esq. (0074676)
RAUSER & ASSOCIATES
1468 W. 9th St. #300
Cleveland, Ohio 44113
(216) 263-6200
Email: semery@ohiolegalclinic.com
Counsel for Defendant Hinton

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing was served via the Court's Electronic Case Filing System on the following persons:

Counsel for Defendant:

Steven Emery at semery@ohiolegalclinic.com

Chapter 7 Trustee:

David Simon at david@simonlpa.com